

## Should I file a claim?

Contact the Ministry of Labour. After speaking with us, you may decide to file a claim.

A claim is a written explanation of your complaint, which also has important information about you, your job and your employer.

Claim forms are available at Ministry of Labour offices, Government Information Centres and online at [www.gov.on.ca/lab](http://www.gov.on.ca/lab).

Filing a claim is free.

For more information, please read our fact sheet on *How to File a Claim* available on our website or at your nearest Ministry of Labour office.

## Where can I get more information?

For more information on employee protection under the ESA, please read the full fact sheet on *The Role of the Ministry of Labour*.

Fact sheets on a variety of ESA topics are available at Ministry of Labour offices or online in the "Employment Standards" section of our website.

## Contact the Ministry of Labour

- Call the Employment Standards Information Centre at:
  - 416-326-7160 (Toronto area) or
  - 1-800-531-5551 (toll-free)
- Call or visit your nearest Ministry of Labour office. You will find the number in the Blue Pages of your local telephone book.
- Visit the Ministry of Labour website at [www.gov.on.ca/lab](http://www.gov.on.ca/lab). From there you can find answers to your questions or you can email us.

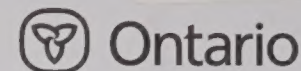
If you do not speak English or French, find someone who can and have them with you when you call or visit the Ministry of Labour.



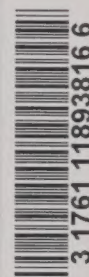
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# Protecting Employees



Information on  
**How You are Protected**



The Employment Standards Act, 2000, known as the ESA, is a law that sets minimum standards for fair workplace practices in Ontario.

If you are protected by the ESA, your employer **cannot**:

- Intimidate you
- Fire you
- Suspend you
- Reduce your pay
- Punish you in any way, or
- Threaten any of these actions,

because you **ask about** or **ask for** your rights.

### **My employer says I'm not covered under the ESA. Is this true?**

If you work in Ontario, you are probably protected by the ESA. The ESA does not cover federal employees and a few employees in other special categories. There are exceptions and special rules for some workers under the law.

Contact the Ministry of Labour to find out how you are protected by the ESA.

### **What are my rights?**

There are many rights covered by the ESA, including:

- hours of work
- minimum wage
- overtime pay
- payment of wages
- public holidays and vacation
- emergency leave
- family medical leave
- pregnancy or parental leave
- notice of termination.

For more information about your rights under the ESA, contact the Ministry of Labour.

### **I was punished for asking for my rights. What can I do?**

If you think your employer punished you for asking about or asking for your ESA rights, contact the Ministry of Labour as soon as possible.

Ministry staff can help you understand your rights, answer your questions and investigate your complaint. Your employer cannot punish you for talking to the Ministry of Labour about your rights.

**NOTE:** Unionized employees should talk to their union representative before contacting the Ministry of Labour if they think their rights have been violated.

### **What will I need?**

Before contacting the Ministry of Labour, try to collect any information related to your job and employer, such as pay stubs, that may help explain your problem.

### **How can the Ministry of Labour help?**

If your employer punished you for asking about or asking for your rights, an Employment Standards Officer can order your employer to compensate you or give you your job back. The officer can also order your employer to pay you any wages you are owed.

The Ministry of Labour can also charge your employer with an offence, including a ticket. If convicted, your employer may be fined or sent to jail.

### **Example:**

Maria found out she is being paid less than minimum wage. She asked her manager why. A few days later, Maria was fired. Maria thought she was fired for asking about her ESA rights.

She called the Employment Standards Information Centre and explained her problem. The Ministry of Labour staff helped her understand her rights and investigated her complaint.

Maria's employer was ordered to give her back her job, pay her the wages she was owed and increase her pay to minimum wage.